

26
LETTERS
ON
POLITICAL LIBERTY.

ADDRESSED TO
A MEMBER
OF THE
ENGLISH HOUSE OF COMMONS,
ON HIS BEING
CHOSEN INTO THE COMMITTEE OF AN
ASSOCIATING COUNTY.

Deerant quoque littora ponto.

Ov.

L O N D O N :

Printed for T. EVANS, in the Strand.

MDCCLXXXII.

*Written by the Rev. David Williams and given
to me, Tho. Holcroft by Mr Swainson
July 2^d. 1782*

1030

LETTERS

ON

POLITICAL LIBERTY

ADDRESSED TO

A MEMBER

OF THE

ENGLISH HOUSE OF COMMONS



CHOSEN BY THE SOCIETY OF AN
ASSOCIATING COUNTY

Q.

Democracy and Liberty

LONDON:

Printed for T. EVANS, in the Strand.

MDCCLXXXII

CONTENTS.

LETTER I.

Reasons for writing these Letters.

LETTER II.

Nature of Political Liberty.

LETTER III.

*Short History of Political Liberty in
England.*

LETTER IV.

*View of the Administration of Government,
in the Reign of George the Third, as
far as the Subject is concerned.*

LET-

CONTENTS.

LETTER V.

*View of the Conduct of Parties in Opposition
to the Administration of George III. at
the Time of writing these Letters.*

LETTER VI.

*The Method of introducing, establishing,
or recovering a State of Political Li-
berty.*

LETTER VII.

*Plan of an equal Representation of the
People of England.*

LETTER I.

Reasons for writing these Letters.

DEAR SIR,

I THINK no point of time, in the annals of England, has afforded objects so numerous and interesting as those which now employ its attention.

Whether the evils we suffer, and the greater evils we apprehend, are owing to the errors and faults of a particular Administration perverting the powers of a wise and excellent Constitution; or the government of England be a confused combination of heterogeneous and discordant principles; are questions which seem to be forced on the judgement of all men.

Persons in high offices, senators, and lawyers, pretend to an exclusive right of judging

on these questions, because they have had experience, and possess a knowledge of facts; but this arises from an inacquaintance with the subject. Government, as an art, may be understood best by those who discharge its offices, or employ their faculties in distinguishing and enforcing its injunctions: but the principles of government constitute a profound and arduous *science*; and to combine and harmonize them, is the employment of the sublimest understandings, using experience and facts as the materials of deliberate contemplation.

Without incurring the imputation of vanity, by appearing to place myself in this order of men, I may attempt to draw their attention to the subject of the following Letters, by exhibiting it in a new light, and giving it a denomination becoming its importance.

I do not recollect any writer who has treated Politics as a science, and founded his demonstrations on clear and indisputable data. Government has been referred to the appointment

ment of the Deity; to the regulations of the Patriarchs; to the physical influence of climates; to the ebullition of accidental circumstances producing the spirit of a nation; to a divine right in certain favored families; to superiority of talents; to the prevalence of force; to inherent rights; and to a compact, tacit or express, between the governors and the governed.

If government be referable to either of these causes, it may be to all; and it has no sure and indisputable principles in common with other sciences: but if it be the institution and contrivance of men, to obtain the utmost security and happiness from associating in communities, it is to be considered as any other contrivance, the parts of which are constructed on principles. The savages of America imagined ships and machines to be the vehicles of immortal spirits; and a shipwreck on their coasts may have occasioned disputes as perplexing, and argumentations as subtle, as those occasioned in Europe by the decomposition of ancient governments, and enquiries into their origin.

It is time to discard the reveries of savages, and to apply the principles of science to all the objects of it. As in the construction of a machine, it is necessary to arrange its parts, and to estimate the forces of their several combinations, to produce their general effect; so in government, first and indisputable principles must be discovered, or all disquisitions will be vague; the pretensions of all impostors in the art of administering it will be equally plausible; and all remedies for its disorders will be offered at random, and applied with hazard.

Politics, assuming the rank of science, would not be left, as it is, to men of business, whose active faculties may be as astonishing as their powers of reflection are inconsiderable. Philosophers who are in the habit of combining first principles, would leave the barren labyrinths of metaphysics, or the futile legerdemain of minute experiments: and seeing that the existence and security of all other sciences depends on the construction and security of governments, they would ascertain their prin-

principles; harmonize their numerous and intricate combinations; and point out the remedies of those errors which are incident to all the productions of human abilities. At this time, the greatest and best men in every state, except that of China, are only passengers in vessels conducted by ignorant mariners; and applying themselves to every thing but the science on which their safety depends, when these vessels are lost, philosophers are sunk into the abyss, in common with the vermin which infested them. The first concern of every man should be, the nature and construction of the machine in which he is embarked on the voyage of life; all other interests and pursuits should obtain only a secondary consideration.

This is my reason for applying my thoughts to political subjects: and I address them to you, because in some conversations I have lately had with you, it appeared that you did not view the steps and prospects of Associated Counties (as they are called), Parliamen-

mentary Enquiries, and City Remonstrances, with a mind unembarrassed, and with hopes of success. Your disposition to know what I could offer on the occasion, was an inducement to commit to paper those thoughts which otherwise might have continued floating in my mind. I am assured of your candid attention; and that the utmost use in your power will be made of any important sentiments I may suggest. Had my object been to have instructed any of the leaders of parties, I should have found prepossessions and interests in my way, and should have lost that species of time, which is now to me the most precious of all possessions.

If, on perusing these Letters, you should not be informed or benefited; you will not be displeased with them as testimonies of that respect and esteem with which I am,

SIR,

Your most obliged, and
Most humble servant.

March 4, 178

LETTER II.

*Nature of Political Liberty.**De minoribus principes consultant; de majoribus, omnes.*

Their chiefs deliberated on lesser matters; on greater,
the whole nation. TAC. de Mor. Germ.

ALMOST all disputes might be prevented by clear and honest definitions; and yet most men dislike the effort of attending to them. I shall avoid every thing of the kind, not absolutely necessary to the purpose of these Letters.

If writers on government had always made and preserved the distinction between Civil and Political Liberty, my trouble would have been unnecessary; and I should have entered on other parts of my subject. †

Civil

† Montesquieu has made a distinction between civil and political liberty; but not the same with that in these: and he has in no case adhered to it.

Civil Liberty is the result of laws or regulations, which define the boundaries of men's actions as citizens of the same community, and leave them free within those boundaries. Political Liberty has a reference merely to the grand divisions of the state; the popular, the executive, and the legislative; and consists in their freedom from the incroachments of each other. Thus a community has no political liberty, whose executive power influences or commands the legislature; or where the people have no regular and practicable method of checking and controuling all the branches of government, when they transgress their proper boundaries. A society therefore may enjoy civil liberty, i. e. all interference of individuals with each other may be regulated by laws; while no method may be ascertained to regulate the interference of the several branches of government, or the encroachments of any or all of them on the happiness of the whole people. We shall see hereafter that England furnishes a reason for fixing the public attention,

tion on this important distinction. At the Revolution, and since the accession of the Hanover Family, its civil liberties have been improved, while political liberty has been almost annihilated: and its constitution now presents to the view of the world, one of the most awkward and unmanageable fabrics which has ever been produced by human folly.

That political liberty is as essential to a wise and happy constitution of government, as civil liberty, as the legislative or executive power, is demonstrable, as that three lines are necessary to form a triangle, or four to constitute a square.

All bodies, whether natural or political, have a principle of self-preservation resulting from their formation; from the union and harmony of their parts; and without which they cease to exist. The offices of all the members are distinct; and they cannot encroach on each other without inconvenience and mischief. In communities, the legislative power

deliberates and ordains; the executive puts the laws in force *for the whole body*; which must have a principle of self-preservation, not only on account of other communities, but to provide against the erroneous and mischievous exertions of its own members. Power, without a resisting and balancing power, is like a muscle without a balancing muscle, called the antagonist, which always distorts, and may occasion a fatal disorder. A legislation and magistracy, without an actual power in the people to preserve their political and civil liberty, are absurdities; or they are masques for the features of despotism.

A well-constituted state must have a body of men to make laws; a person or persons to represent the community to foreign nations, and to execute the laws for the preservation of civil liberty; and a power left in the people (which I call its political liberty) to repel all encroachments, and to confine all the members of the community within the limits of their offices.

This

This truth, though not deemed capable of demonstration, has been admitted in theory by all political writers; those excepted, who have avowed their attachment to despotism. I am not ashamed to decline all contest with the advocates of despotism. If the happiness of the world had nothing to apprehend but their arguments, it would be well. The most dangerous enemies of Liberty are of its own household. Every witling, from Solon to the declamatory retainer of an English faction, pretends to distinguish between theory and practice. It has ever been the expedient of knaves and blockheads. If in geometry, all clear and accurate demonstrations are reducible to practice, why not in politics?—These gentlemen cannot tell: but they will have the assurance to affirm the absurdity. The reason is obvious. The science of geometry is understood by its professors: the science of politics is not; nor can it be expected to be understood by legislators and magistrates.

It may be said, who are likely to understand this science, if those do not who are daily occupied by public business? Their daily occupation may be among the reasons of their ignorance. It is the business of the legislator merely to form laws for certain occasions; it is that of the supreme magistrate to have them executed: it is not by any means necessary, it is not even useful, that the legislator or the magistrate should be a politician, further than to be aware of the limits which every free constitution has fixed to his occupation. Men of science, as I have already observed; men, who are in the habit of combining causes, and disintangling their operations; these alone are politicians: and no man of real science will presume to say, that what is true in theory is false in practice; or that a theory formed on certain data, and calculated for utility and the happiness of mankind, is impracticable.

That particular men may be incapable or unwilling to reduce the best theory to practice, I will allow. That an English parliament may see the nation verging on ruin, and not
know

know the great and immediate cause: that a delegated executive power, in the hands of a family recently and highly honoured with it, may drag one immense mass of the empire to oppress the other, and to desolate the whole; is a fact which astonishes the world, who had been taught by romances on our constitution, that Englishmen were free; made laws and granted supplies by delegates; and limited the Crown to certain duties for the good of the state. Englishmen had learnt their political creeds from these romances copied into political breviaries;† until Despair, as she opened her arms to receive them, maliciously pointed out the loss of their *political liberty*. Nothing was heard but the confused cries of orators and patriots, for the majesty and power of the people: but no such power, no traces of such majesty were to be found. Influence and venality in a pitiful court and an intriguing aristocracy, had been occupied ever since

† See Blackstone's Introduction copied from Montesquieu; and De Lolme's Constitution of England copied from both.

since the Revolution in building an edifice on the sand; in constructing a free constitution, without political liberty; *which is its foundation.* The winds blew; and the floods came—I will not copy the whole text—as I hope the house is not yet fallen.

I have the honour to be,

S I R,

Your most obliged, humble servant.

March 5, 1782.

LET-

L E T T E R I I I .

*Short History of Political Liberty in
England.*

Il pourra arriver que la constitution sera libre, & que le citoyen ne le sera point. Le citoyen pourra être libre, & la constitution ne l'être pas. Dans ces cas, la constitution sera libre de droit, & non de fait; le citoyen sera libre de fait, & non pas de droit.

MONTESQ. *Esp. de L. b. xii.*

The constitution may happen to be free, but not the citizen. The citizen may be free, and not the constitution. In these cases, the constitution will be free by right, and not in fact; the citizen will be free in fact, and not by right.

S I R,

BEFORE I attempt to apply to the object of these Letters, the definitions I have given of Political Liberty, I will give a very short history of it in England, from the settlement

ment of the Saxons to the commencement of the reign of George the Third.

When the Saxons had effected their settlement, Spelman says, they convened yearly an assembly of all the landholders of the kingdom, called Mycel-gemot, or Folkmote: and that in this assembly, the conduct of the king and his Wittenagemot, or parliament, underwent a *revisal*. I am aware that the Wittenagemot was not then an assembly of delegates.

The Mirror of Justices also says, that the business of this Assembly of the Freeholders, was "to take care that the people received no wrong from the king himself, his queen, or their children." The king and his nobles, on this occasion, were blended with the people; and were personally accountable for their public actions. In Germany, the chief Druid presided, to render this general and national judgment the most solemn and important act of religion. In England, this honour was conferred on the king, if the deliberations were not required,

quired, and they were then seldom required, on his misconduct.

The power and offices of the king and of the Wittenagemot being ascertained; and the freeholders of the whole nation having a regular and fixed method of revising the general conduct of government, the result was a state of perfect political liberty.

But it must not be concealed, that the proprietors of land were not numerous, when compared with the present freeholders of England; and that farmers and tradesmen were in a state of vassallage; i. e. the state enjoyed a high degree of political, but hardly any civil liberty. In England, these blessings have never accompanied each other.

The Saxon constitution, beautiful in its general structure, though defective in important parts, was shattered by the Danes; but restored and improved by the immortal Alfred. It was destroyed at the Conquest: and fluctuating forms of tyranny continued hovering o'er the

D

land,

land; moderated by the introduction of the Commons in parliament by Edward the First; by the provisions of the great charter; the shock given to the aristocracy by Henry the Seventh; the religious liberty contended for by the Puritans; and by the Revolution in 1688.

But these events hardly touched a link of that chain which had shackled political liberty. The Commons assembled in parliament by Edward the First, were deputies from the king's tenants and boroughs, to settle those talliages which had been oppressively exacted by his officers. They constituted no part of the legislature; and when, on being joined by the knights of the shires, they gave their petitions a higher tone, they were regarded as innovators; and called sturdy beggars, by an executive power, and an aristocracy, which, at the suppression of the Folkmote, felt all the powers of government in their hands.

From the Conquest to the Revolution, the contest lay principally between the spirit of despo-

despotism, always haunting the throne, and a powerful aristocracy; the House of Commons being then, as it now remains, almost wholly in the possession of the king and the nobles. The Revolution itself was effected by popular chiefs, who happily coincided with the public wishes; but who were probably as disinclined to a Folkmote, and to a constitutional exercise of democratic power, as the arbitrary adherents of the prince whom they expelled.

A new constitution was formed at the Revolution; in which an aristocracy, holding the House of Commons almost wholly in its hands, stipulated conditions with the Crown, which had an apparent, though not a real, tendency to political liberty.

If the House of Commons had been freed from the influence of the King and the Lords; if it had been really constituted, what it pretends to be, a delegated power from the People; though its immediate business be legislation; it might have served as some check on the encroachments on the Crown. Being however,

ever, an assembly which, from the nature of its business, must continue sitting a considerable time, among objects very dangerous to the frailties of human nature, it would have been an insufficient substitute for the Mycel-gemot; and could not have secured to the people the possession of their political liberty. But, not being independent of the Prince and the Aristocracy, it has been hardly any obstruction to their partial and pernicious views: and the History of England, from the revolution to this day, will exhibit a history of contending factions for the government and direction of the king, in the exercise of an enormous and mischievous power; while the great, industrious, and valuable part of the people is destitute of proper means of relief, because it is destitute of political liberty.

I am,

SIR

Your most humble servant.

March 6, 1782.

LET

LETTER IV.

*View of the Administration of Government,
in the Reign of George the Third, as
far as the Subject is concerned.*

*Il pourroit être que cette nation ayant été autrefois
soumise à un pouvoir arbitraire, en auroit, en plu-
sieurs occasions conservé le stile; de maniere que, sur
le fonds d'un gouvernement libre, on verroit souvent la
forme d'un gouvernement absolu. Espr. des L. 19. c. 27.*

This nation having formerly been subject to arbitrary power, may possibly preserve the style of it on many occasions; and in such a manner, as to let us frequently see, on the foundations of a free government, the form of an absolute power.

DEAR SIR,

THE seeds sown at the Revolution, did not fully produce their fruits until the reign of George the Third.

The errors blended with the foundations of the Revolution were the following; that the
rights

rights of political and civil liberty originate in the property, not in the industry, talents, and virtues of the people : and that it is sufficient to the purposes of a free Constitution, to render parliament a representation of the property, not of the people of a country :

That, to prevent the repetition of the violence which had been exercised on Charles the First, a doctrine should be insinuated, and gradually established, that the person of the Lord's Anointed is sacred ; that the king can do no wrong ; and is not in any respect accountable : that the responsibility should be in the king's advisers, who might be his visir or prime minister, his cabinet council, his favorite, or his mistress.

By the doctrine of the representation of property, and not of men, the great landholders obtained possession of two most important branches of the political constitution, the power of the ancient assembly of freeholders, and that of legislation : and they were wholly concentrated

tred in a parliament, which, by a slight manœuvre, might be free from responsibility.

The Crown was destined not to a constitutional limitation, but a state of perpetual tutelage, under the hereditary guardianship of those families who had introduced the House of Hanover on the throne. But as the claims of this guardianship were not universally acquiesced in; and an opposition started up; an advantage was taken of the apprehensions of the times for the security of the public religion and of the reigning family, to establish it as a principle of state, that to render the operations of government practicable, all the effect of deliberation in parliament should be taken away, by providing a settled majority in favour of Administration, and casting an odium on all opposition to its measures.

Thus a system of political despotism was involved in the complex machinery of forms: but the civil jurisprudence improving, and a harmony founded on gratitude subsisting between
the

the first princes of the House of Hanover, and the great leaders of the English aristocracy, hardly any of its inconveniences were felt for some time. Fortunate circumstances in commerical adventures, helped to introduce an interval of *artificial* splendour in the reign of George the Second, which astonished the world.

Before this interval took place, the plan of parliamentary influence was fixed: the constituent parts of government vibrated on delicate points; and the people, or rather the populace (for there is a material distinction between them) became of consequence in their clamours and tumults. These tumults are attributed by foreign speculatists to some essential defects in all free governments. They were owing in England to errors, committed either designedly or carelessly at, and soon after, the Revolution: and they are no more necessary to a free government, than irregularity is to use and excellence of a machine.

As our Constitution has been generally judged of from this period, it may be proper to remove

move some errors to which the transactions of it have given rise. For events depending wholly on the management of publick passions, and oratory being one of the principal instruments in such management, it was imagined the principles of liberty required an eternal warfare; and that no man was fit for the direction of public business, who had not a spirit daring enough to direct storms and regulate tempests.

A people who saw themselves detached from all influence on the Constitution, while they were amused with the forms of freedom, conceived a hatred of government; which is also erroneously deemed essential to a spirit of liberty. And they accustomed themselves to attachments, in hopes of protection from particular leaders. This gave rise to a temporary passion for popularity; which agitated the nation, until the talents of Mr. Pitt fortunately combined these fermenting and contending principles—and, mounted on the wings of all the winds, conducted a nation,
E
poisoned

poisoned perhaps in her vitals, to point all her bursting passions at her enemies.

When this paroxysm was over; and Britain seemed wearied of victory and glory; George the Third ascended the throne of her dominions.

Among the brilliant qualities of Mr. Pitt, there were none more remarkable than the facility with which he passed from one situation to another, until he seized the most advantageous. He forced himself into public notice, by an opposition to the Whigs, who then held the Crown in tutelage. In the moment of victory over the minister, he seized his place; became a Whig, and the most despotic guardian the prince had ever known. This constituted his glory; and this brought on his disgrace.

The young prince had pledged his power before he possessed it: but the Favourite had not the talents of Mr. Pitt; and the period of popular agitation and passion was almost gone. The manner of Lord Chatham's retreat had
filled

filled up the measure of public disappointments; the great mass of the *People* withdrew its attention from government; and left the *Populace* to resent the injuries, or to sanctify the pretensions, of Mr. Wilkes; and to drive the Favourite with execrations from his master's presence.

The system of this reign, however, had been firmly fixed; to emancipate the throne from a state of tutelage; to apply the produce of finance, which seemed inexhaustible, to establish a decided majority in Parliament for the Crown; and to make a king his own minister, who had been solemnly declared incapable of wrong, and accountable to no power on earth.

The following doctrine, therefore, was revived in all its infernal lustre, *Rex* est vicarius & minister Dei in terra: omnis quidem sub eo est, & ipse sub nullo; nisi tantum sub Deo*. A celebrated Commentator † paraphrased it in the following words, which laid the great foundation of his succeeding honours and fame.—“By law the

E 2

per-

* Bract.

† Blackstone.

person of the king is sacred, even though the measures pursued in his reign be completely tyrannical and arbitrary; for no jurisdiction on earth has a power to try him in a criminal way, much less to condemn him to punishment."—

This is the doctrine held by the Marattas respecting their *Nana*; but they render it consistent, by shutting him up with his women; and committing the whole government to the commander in chief, who is responsible. The ingenious Commentator, while compiling a system of constitutional and legal knowledge for fine gentlemen, had not consulted the numerous authorities which may be produced, to prove that the general assembly of the people of this country have not only a right in reason, but in fact and in precedents, to revise the conduct of their king; and to sit in judgement on him; as well as on every other magistrate, who is intrusted with a power from them.

Those who had rather give credit to Dr. Blackstone than consult those antiquated authorities, may find the purport of them collected

by

by the late learned and candid Dr. Squire; * whose Work is better calculated to impress a just idea of the general outlines of the English Constitution than all the plausible novels, which have lately obtained applause, because they flattered the vanity of the English nation, with the opinion that it had contrived the wisest government in the world.

The doctrine, however, was established: the king, incapable of wrong, and unaaccountable, became his own minister. The revenues of a nation, immensely rich, were applied to remove all obstacles in parliament. The people were reduced to a state of insignificance: and the numerous colonies annexed to the kingdom, were declared the *subjects* of a nation which had lost all influence in the administration of its own government; and had forgotten its political liberty.

Slaves are always for extending slavery; as
disagree-

* See Squire's Essay on the Anglo-Saxon Government of England.

disagreeable women would annihilate beauty. It is to the honour of the great body of the people of this country, that they abhorred the attempt of reducing the Americans beneath the rank of British subjects. But the Crown alone possessed the powers of government: and all resistance would have been fruitless, if the empire had been compact; or if the spirit of tyranny had been equal to its designs. The people who were here amused with the promises of being lords of America, would have seen the chains which had bound down their fellow-subjects, rivetted on themselves; and despotism, gorged with the blood of the most virtuous citizens, would have enthroned itself in horrid majesty on the ruins of the commonwealth.

I am,

S I R,

Sincerely yours.

March 7, 1782.

LET.

LETTER V.

*View of the Conduct of Parties in Opposition
to the Administration of George III. at
the Time of writing these Letters.*

*D'autant mieux que ceux qui s'opposeroient le plus
vivement à la puissance executrice, ne pouvant avouer les
motifs intéressés de leur opposition, ils augmenteroient les
terreurs du peuple qui ne sçauroit jamais au juste s'il
seroit en danger ou non. Mais cela même contribueroit
à lui faire éviter les vrais périls où il pourroit dans la
suite être exposé.* L'Esprit des Loix, l. 19. c. 7.

As those who oppose the executive power with the
most ardor, cannot avow the interested motives of their
opposition, they heighten the terrors of the people, who
can never be certain whether they are in danger, or not.
But even this contributes to make them avoid real
evils, to which they might otherwise have been ex-
posed.

DEAR SIR,

LORD Chatham was a meteor, acting princi-
pally on public passions. While the am-
bitious views and interests of the aristocracy were
in

in a state of vibration, the talents of an orator were of great importance. Such passions may be biassed by eloquence: but venality is impenetrable to all arts and all considerations. The Whig interest, as far as it depended on precedent and prejudice, sunk in a blaze with the popular reputation of Lord Chatham.

The system of venality seemed to be established; and to be competent to all the ordinary purposes of administration, when the project was entered upon, of bringing America under the arbitrary power of the Crown, through the intervention of a settled majority in the English parliament. The Whigs, already disaffected, united in opposition to it: and for the first time, were instructed, that property is not the sure and permanent foundation of political power and liberty. Nine tenths of the property of the nation, was in the hands of men totally averse to the injury intended against America. But arrangement, method, and consequently power, was clearly on the side of those who possessed only the remaining tenth.

It

It has been affirmed of all oppositions to government, that they are actuated by interested and factious motives. It does not appear, that most of the gentlemen who opposed the American War could, as private men, have had any interests in view, but such as were common to persons of property and principle, through the whole empire. But factious they must have been, as connected with parties having any views on the management of public affairs. Government had long been the object of contending factions: it was possessed by a faction; and whenever it is obtained by the Whigs, by means of parliamentary influence, it will be by a party which must have many of the properties of a faction; more moderate and popular perhaps in its principles and measures; but still a faction, because formed by the power and influence of a few chieftains, and not by those of the whole people.

If experiments had been made wholly with a view to prove this truth, they could not have been more decisive than those afforded by the conduct of parties in the reign of George III.

F

With

With all the advantages arising from superior property, credit, and talents, the opposition hardly ever made the slightest impression on a disciplined phalanx, always surrounding the throne; draining the whole country of immense treasures, to pursue measures which were evidently impracticable; as they were odious to the disposition and disgraceful to the character of the nation. Repeated disappointments and accumulated insults turned the eyes of some of the Whig leaders to the people; who had been left out of all political arrangements for a thousand years: but who were perceived to constitute the basis of all legitimate power. The violent and sudden dismemberment of the empire; the eagerness with which neighbouring powers watched to seize its broken fragments; the distress felt by the lavish expenditure of public money; and the daily spectacle of thousands torn from their families and country; and sent, with aching hearts, to strew whole provinces with the bodies of their unoffending friends:—these horrid objects, forced on a high-spirited and generous nation, convulsed the
land

land. The friends of their country—for I must call them so, at this time, whatever the first motives of their conduct may have been—attempted to rouse the people to assert the right of self-preservation. But they called with nearly as much effect, as if they had summoned the ocean instantly to yield rain, or to afford springs and rivulets. The previous and necessary dispositions had not been made: and the people were an unwieldy, inactive, and useless mass. They had been long accustomed to look up to parliament for all the relief they obtained from the exorbitant exactions of the crown. But they knew not how to conduct themselves towards a parliament, in collusion with the executive power, to extinguish every spark of political liberty which lay scattered throughout the common wealth.

Persons of influence in several counties, gave out plans of association; from which great hopes were entertained. It is with regret I speak against all those plans, as being hastily and crudely formed; as exciting false hopes in the people

people; while in many cases they were calculated only to promote the views and interests of individuals.

The associations were formed, either by the sheriff calling the freeholders of the county together, and directing them to unite; or by the influence of a nobleman or gentleman over his neighbours, and his desire they would meet him, to deliberate on the grievances of the nation. If public distress had driven the majority of the people of this country into such associations, that majority would have had no right, though it might have had force, to controul and correct the excesses of the executive and legislative powers. For the other division of the people not having been consulted, and not under an obligation to attend the summons given, they would have reasonably complained of the same kind of injustice which had associated the majority. Nothing less than a plan, which includes the whole nation; and which may obtain its inclination and judgement; can give rise to the constitutional and permanent power of the people, to pre-

prevent and correct the perpetual disposition of the executive and legislative powers to oppress them.

But the associations did not constitute the thousandth part of the nation, and could not discover or express its inclination; they were created on the spot, by the persons who assembled; and not even by the inhabitants of the town or district in which they met. Any iniquitous powers might be formed on such principles; which appeared to me at all times to have no tendency to produce political liberty. It is true that resolutions were formed, and petitions drawn up in those assemblies, which were afterwards communicated to several thousands of freeholders, and signed by them. But in these proceedings, the order of things was inverted. The sentiments and inclinations of individuals or of small assemblies, were forced downwards into the mass of the people; a most unnatural and ineffectual mode of operation. All delegated powers should proceed upwards from the people; and not fixed on them, by in-

in-

individuals, or by any arbitrary combinations of men.

The gradual rise and formation of these associations, were viewed by administration with contempt; and by the country with a mixture of hope and pity. They proceeded in all their measures with an indecision and timidity, which proved that they distrusted the ground they were upon: the possible consequences of some of their assemblies were drawn before them in horrid characters, in the fate of the Protestant Association: and there is, at this time, but one general opinion concerning them,—that they will silently crumble into oblivion.

The interposition of the City of London, is a matter of a different nature; because the City of London possesses power. A corporation, founded on the most iniquitous principles of monopoly, remonstrating in the cause of liberty, is, like a tyger in the cause of mercy, a suspicious phenomenon. But it is true, that the strides of power have been so great as to alarm those

those chiefs of parties, and members of corporations, who were very content with the exercise as well as the fruits of *moderate oppression*.

If any circumstance were wanting to prove that all the measures of these different parties were not properly taken, it would be found in the disagreement and discord which prevailed among them. If they had been actuated by a common object, they must have found a common principle. But they could not even agree upon what they wanted. The Association petitioned for one thing: the City of London for another—the party of one great lord objected to all such petitions and measures as would remedy the whole of our diseases at one time. Constituents were applied to; and then insulted with declarations, that their delegates were not theirs, but those of the whole empire. In short, this region of the political world became a chaos of discordant opinions; into which all good men looked with despair; and by the din of which the nation might have lost its senses,

senses, if it had not been hushed by the heavy and irresistible pressure of half the world ; menacing an entire and sudden ruin for the folly and iniquity of the American War.

When I first conceived the design of these Letters, I determined to confine myself, as much as possible, to England. But, as the proceedings of the Irish Volunteers, may be adduced as objections to my general principles, I cannot omit them.

The condition of the Roman Catholics in Ireland, at the same time that it is a reproach to the humanity and understanding of the Government ; will prevent that nation, perhaps for some ages, from becoming great and free. If we suppose the Roman Catholics not to exist, or in a state of slavery ; and the Protestants the only free inhabitants of the island ; they have acted nearly on right principles, in arming themselves, electing their officers, and forming their provinces into regiments headed by their own chieftains. The defects of their plan are these : any protestant may be

a volunteer, who can arm himself, and find leisure to attend the days of discipline. Those persons who have not the inclination or ability, may decline it. The greater part will decline it: and the disciplined volunteers will become their masters. Nay, it is extremely probable, that in some time, whole provinces may grow tired of the duties of volunteers, while others persevere in them; until, by the advantage of discipline, and instigated by ambitious leaders, they command the destiny of the whole nation. All regulations, which are defective in a few essential principles, soon and insensibly bring on many and fatal inconveniences.

It may be said, this has not been the case in America, where resistance to the proceedings of England was first made by partial associations. But the follies of the English administration accumulated so suddenly, and to so unexampled a degree of enormity, that all the natives of the Colonies were at once roused; and they gave authority to associations which might otherwise have been ineffectual.

G

There

There are situations ; such perhaps as those of Ireland and America ; in which it might be the highest imprudence to neglect advantages and measures, because they are not wholly unexceptionable, or the best that can be imagined. The circumstances of these people have presented urgent and critical moments ; in which all bodies are supposed to have dispensing powers. The mischief arises from blending expedients with principles ; and forming out of them such systems of chicanery as those which now disgrace the policy of all Europe.

The associations in England were formed in alarming ; but not in critical circumstances : they had been many years in contemplation ; and to have been successful, in so enlightened, and I will say, so virtuous † a period, they should

† The general corruption of the times is always a fruitful source of declamation, whenever dangers or miseries disturb the public tranquillity. What had the great body of the people of England to do with the follies and absurdities of the American war ? No
period

should have been founded on clear and scientific data. The friends of these associations were misled, by the success of *America* and *Ireland*, into a conclusion, that they proceeded on universal and infallible principles. Success is a very precarious proof of truth: and those who undertook to lead the nation into the most deliberate and most important measures, should have thoroughly studied the science whose principles they meant to apply.

I am, S I R,

Your most humble servant.

March 8, 1782.

Since this Letter has been written, the measures which occasioned the American war, have been reprobated by a vote of the House of Commons. It was evidently carried, on the principle that success and disappointment are

G 2

the period of our history can be pointed out, in which so many private virtues were exercised as that which has been dishonored by its unfortunate events: and the industry that supported its expence, removes all imputations on the character of the people.

the tests of right and wrong. I mean not the slightest disrespect to those gentlemen who, for ten years, have been struggling against the iniquitous system which has injured and dishonored the nation. If I understand the definition of a good and virtuous patriot, and am well informed of the character of General Conway, he deserves the noble and honorable appellation. In consequence of the success of his motion against the American war; and of the opinion that America would not treat with the authors of its calamities; their places have been assigned to the leaders of the late opposition. That more popular and useful measures will be pursued, cannot be doubted: for the continuance of the administration a single month, depends on such measures. But this change, though it relieves us from instant distresses and apprehensions; does not yet promise any remedy for the causes of those evils. The expedients of patronage and family influence, in the whole extent of their consequences, are as fatal to liberty as the influence of the Crown.

Gene-

General Conway has had the merit and good fortune to save his country twice; when on the verge of ruin, from the folly of a weak administration. His name will be enrolled among the best and wisest of mankind, if he gives his utmost assistance in repairing an ill-constructed and shattered Constitution: and putting it out of the power of *any* administration to bring us into similar circumstances.

If at this time, slight and artful palliatives are to be administered: if our extremities only are to be trimmed and paired, to shew the address and agility of the operators; while the disorder is left silently and gradually to consume our vitals—it had been *much better* for us, that the late ministry had been continued in its career of absurdities. For, in the extremity of distress, we should either have suddenly perished, or recovered our vigour and health. What Mr. Locke says of good princes, may be applied to popular administrations; that by obtaining extraordinary confidence and power, they furnish claims for their successors, which
are

are asserted to the most injurious and fatal purposes. If Augustus had not been beloved; Tiberius, Nero, and Caligula, would not have had the power of sporting with the lives of the Romans. If the Whigs, who effected the Revolution in 1688, had not been implicitly confided in, and suffered to assume unconstitutional powers, the late administration could not have involved us in an absurd and cruel civil war. The gentlemen, who now hold the reins of government, owe us some atonement for the errors of their ancestors.

April 15, 1782.

LET-

LETTER VI.

*The Method of introducing, establishing,
or recovering a State of Political Li-
berty.*

Que si les disputes étoient formées à l'occasion de la violation des loix fondamentales, & qu'une puissance étrangere parut ; il y auroit une révolution qui ne changeroit pas la forme du gouvernement, ni sa constitution : car les revolutions que forme la liberté ne sont qu'une confirmation de la liberté. L'Esprit des Loix, l. xix. c. 27.

But if the disputes arise from the violation of fundamental laws ; and a foreign power appear ; a revolution would take place, which would alter neither the form of government nor the constitution : for revolutions which are formed by liberty, are only confirmations of that liberty.

DEAR SIR,

IF I have accomplished my purpose, in the Letters I have already written ; it is evident
that

that the Constitution of England, whatever panegyrics may have been written on it, has been left unfinished and incomplete. The Saxons enjoyed political liberty, by reserving the supreme power in the people: but they held labor, industry, and the arts, in a state of slavery; and the administration of justice was at the pleasure of individuals. The community therefore was destitute of civil liberty. At the Revolution in 1688, provisions and arrangements were made, which introduced a high state of civil, while they have almost wholly suppressed political liberty.

This accounts for the jealousies, apprehensions, factions, and tumults, which have so often endangered the state: and which superficial observers attribute to the nature, rather than the defects, of the English Constitution. In providing for civil, and not for political liberty, we have preferred the lesser to the greater blessing. For the internal peace and security of a whole people arising from the power of self-preservation, and a freedom from the oppressive

pressive encroachments of government, is of much superior importance to the private security arising from the administration of justice to individuals. Indeed the latter cannot be enjoyed in a high degree; nay, cannot long subsist, without the former. This may be clearly seen, in the attempts of the wisest and best of the Roman emperors to preserve civil, after the expiration of political liberty. The system of civil jurisprudence formed on their edicts, is among the most ingenious and benevolent efforts of human genius: but the senate (the Roman parliament) was in a state of servile dependance on the imperial diadem: the people were wholly left out of the political balance; and the whole empire was convulsed with misery, or enjoyed peace, as the prince chanced to be a philosopher, an idiot, or a tyrant.

It is this state of political insecurity, from the effects of perfidy in its pretended representatives, and from ambition in the Crown, which gives the people of England that air of perpe-

tual discontent ; that impatience of authority ; and insolence to their superiors ; which seem ungrateful and brutal, in persons who are surrounded with blessings. But the people feel with more truth and justice than many speculatists reason. Perceiving an evident collusion between the legislative and executive powers ; that the people have no mode of breaking it without having recourse to insurrections ; that laws may be obtained, and burthens accumulated, under the fallacious forms of a free Constitution, to a degree of enormity which would cost a sultan his head ; they cherish a constant suspicion and hatred of government. No species of despotism can be so dreadful, as that of a free Constitution half-formed ; when all its abuses assume the authority of establishments. This is nearly the case in England ; and the neighbouring states, who have never tasted of liberty, afford an asylum to thousands of its oppressed and emigrating inhabitants.

There is a point at which the tyranny of a single man must stop ; and then all is peace. Customs check caprice ; and privileges are in-

violate. But a free Constitution left imperfect, and corrupted by venality; will carry its abuses to an incredible length; it would refine upon the miseries of the most abject inhabitants of Turkey or Hindostan.

But it is said, there can be no remedy in such cases; especially if the country be of great extent, and the people numerous. It is generally allowed, that political liberty may be enjoyed in small states; because the people may assemble, to keep the power of the senate and magistrates within proper bounds. In Crete; which furnished the model of the ancient republics; the people had recourse to occasional insurrections, to stimulate the indolence, or to check the ambition of the magistrates: as nature has recourse to tempests, to purify and animate the elements. But this cannot be done in large and populous nations; without introducing perpetual anarchy.

It is the usual artifice of sophists, to hold up a subject only in one point of view. No man, who understands human nature, will argue

from the use of popular insurrections in Crete, to the use of them in France or in England; where the people could not move, but in immense and ruinous inundations.

If a multitude were collected at random, and every man of it were moderate and wise as a Newton; the whole would act with folly and violence: because the lowest and most violent passions only can be instantly diffused, and made effectually to agitate large assemblies.

As an animal is susceptible of life, only when his parts are in a certain arrangement, and not when he is of any determinate size; so the mass or body of a people is capable of sensibility, passion, and judgement, according to the mode of arranging its parts, and not merely their number. A small number, by admitting a free and intimate circulation of thoughts, is capable of judgement. A larger, by admitting only the impulse of strong and common emotions on all its parts, is capable of passion only; and cannot form judgements,

ments, whatever may be the abilities of the people: a very numerous multitude is, like an immense mass of matter, void even of general feeling.

The multitude, like matter, must be arranged; nay, it must be organized: and it may be, in any quantity, and to any extent. The nature of its sensibility, its passions, or its judgment, will depend on its arrangement; or its organisation. An elephant is a continent of organised matter; compared with the little animal, that directs his family, and associates with his community, in a drop of water.

Any number of men may be arranged, so as to form a general judgement or will: without forcing them out of their situations and employments; or producing any of those tumults and dangers, which attend the assemblies even of the smallest democracies. The disposition and management of the army, will clearly illustrate this problem. Every thing is felt and judged of, with the utmost truth and rapidity, by a whole army; because it is divided into

parts,

parts, connected by a gradation of officers; which are the nerves, arteries, and ligaments, of this artificial body. This is so true, that one of the most experinced and intelligent officers of the present age,* rests the fate of an engagement wholly on the passions and opinions of the common soldiers, in regard to their officers; and particularly their general: and though they have not the slightest influence on the appointment of a general; yet he strongly affirms, that in order to ensure success, he should be in all respects such a man as the common soldiers would have chosen.

I mention the army; not to recommend a military government; but to shew, that division and arrangement into small connected parties, will render any number of men capable of judgement, will, power, &c. without confusion, riot, or danger. If the manner of forming the ligaments of military union, and the organs of military sensibility and judgement, were inverted; the army would exhibit the model

* General Lloyd.

model of a people in a state to assert and to enjoy the highest degree of political liberty. If the inferior officers were first chosen by the smallest divisions of the soldiers; and those officers chose the next in rank, until the whole terminated in a general: this would represent a people in a state to form judgements; to have a will; to delegate legislative and executive powers, which would be free and uncontrouled, within certain limits, but would be checked, corrected, or annihilated, when passing those limits, they oppressed and injured the community they were intended to serve.

This truth is founded on principles as clear and indisputable as any in geometry.

Geometrical definitions are admitted, because none can be substituted for them: political definitions must have the same claim, to become the permanent foundations of an universal science.

No definition of government can be substituted for the following; "The art of governing

ing all, by all." It is, therefore, one of those data which cannot be controverted. The difficulty has ever been, to arrange numerous nations into regular and animated bodies; which might, for this purpose, move and act without disorder. The manner of effecting this arrangement has been shewn. But as the power of the lever, and all the most useful truths of mechanics, were incredible speculations; until applied to the specific purposes for which they were invented: it is happy that we can have recourse to history; and prove from experience, that our general principles may be applied to produce and preserve political liberty.

Not to repeat, what has been already said of the Mycel-gemot, or Folkmote, as among the early institutions of the Saxons; we will attend to the revival of those institutions by the great Alfred.

Spelman says, that the counties were divided in tythings or laths; who chose tything-men as representatives, in the court of the hundred; which had also a representative in the county-court.

court:—that appeals lay from the tythings to the hundreds; from the hundreds to the counties; from the counties, in some cases, to the king and his barons, council, or parliament; and in others, to the Folkmote; or the assembly of all the land-holders of the nation, which now began to act by deputations:—that every householder was answerable for his wife, and those children who were under the age of fifteen, his servants, and dependants; the tything answerable for its householders; the hundred for the tythings; the county for the hundreds. The nobility were obliged to attend the court of the hundred; as at the head of particular tythings.

These arrangements were probably made for the purposes of police; and they are the most excellent which have ever been imagined. They were also calculated to draw together the whole force of the nation, to repel the invasions of the Danes. Whatever the reasons may be imagined to be, it gave the whole mass of the people an universal and instantaneous *sensibility*

to all important events, and enabled them to *judge*, and to *act*, without tumult, when occasions required the exertion of the whole nation.

This arrangement points out the method of restoring the balance of powers in the English Constitution.

But as parishes and counties are unequal divisions; and the most important men in the community are, not the mere possessors of lands, but those whose industry and talents increase and multiply their original value; regard should be had to men, not merely to their possessions: and they should be divided by their numbers, not by the space of ground they may happen to occupy.

Ten men, whether freeholders, tenants, householders, or lodgers, who live on their fortune, industry, or talents; and whose habitations are contiguous, should form a tything; and elect a representative to convey the sense and opinion of his constituents, to a meeting of the re-
pre-

representatives of ten neighbouring tythings, called a hundred; where one should be chosen to meet the representatives of the ten adjoining hundreds; where one should be chosen to meet the representatives of the ten adjoining divisions of thousands: and in the same manner of ten thousands, hundred thousands; until every million of the inhabitants or citizens, is represented by one. If we suppose the English nation to consist of two millions of the species of inhabitants above described; the business of the universal representation would be done in London by two persons; who would on all occasions accurately ascertain the general *inclination* and *judgement* of the nation. All the representatives should have their expences liberally defrayed by their constituents.

To answer the purpose of these regulations; and to prevent the attempts of the Crown to corrupt such a representation; all the elections should be only for a year: and all the deputies should be *representatives*; whose election should
be

be void, if they departed in the slightest degree from the judgement of their constituents. For the design of this arrangement being to attain the sense of a whole people, whatever it be, and not the opinions of their deputies; the slightest latitude should not be given to representatives; who ought to decline the appointment, if their opinion differed from that of their constituents. This would effectually prevent corruption: for all delegates being really *representatives*, who could not be otherwise employed than in supporting the public judgement and will; in order to secure them by corruption, the whole people must be bought.— No contest or litigation would arise from the interfering opinions and interests of the several divisions; as in all cases the minority must acquiesce, and join in enforcing the public inclination.

I wish you carefully to observe, that the first object of these letters is not to specify the necessary regulations for an adequate representation

tation in parliament: but to give the whole community a security against that breach of trust, and that collusion with the executive power by which *parliaments* have often reduced the whole nation to the utmost distress. All powers, in a free country, should be checked and limited by the power of the people; regularly and fairly obtained. But the precise boundaries of these powers, and the mode of forming them, cannot be included in my present design. I am laying, or rather restoring, the foundation — all the necessary structures may be easily erected.

It will probably be said, that the revival of this mode of establishing political liberty would have all the effect of innovation; and that innovations, even on the most perfect principles, are hurtful, because they press on the prejudices of the people.

This is always the shallow pretence of political jesuitism. The throne is daily innovating; while

while every step presses out the blood of the most industrious and excellent among the people. A standing army is an innovation, against the prepossessions, habits, and judgement, of every independent man in the nation; and yet it has been established. Is it to be imagined, the people will object to the very little trouble attending such an arrangement, as will afford them an intire security against the encroachments of the Crown, and the depredations of fluctuating parties in their legislature, who plunder them in succession? If they were to arm themselves slightly, they would also have a police on the best footing; and be perfectly secured against the collusions of thieves and thief-takers, watchmen, constables, church-wardens, overseers, trading justices, and the whole train of expensive appendages to the science of robbery.

It will be asked—in what manner is this scheme to be entered upon? The executive power will exert its influence against it: and the leaders of the several divisions of popular parties

parties, will attempt to discredit all arrangements, in which they may not take the lead; or by which may be blended with the people.

In June, 1780, the daring violence of a few desperadoes shewed the state of our civil government to be so feeble, that every man felt the necessity of assuming his proper station; and acquiring the power of defending himself and his family. A disposition to associate almost universally prevailed: but no method was pointed out, which was not incumbered with military discipline; and rendered inconsistent with the common occupations of peaceful citizens. Administration saw this perplexity and ignorance; and improved the advantages it afforded, with a dexterity which might have been better exerted against the enemies, than against the people, of this country. They encouraged military associations, knowing they would prove burthensome and impracticable; but embarrassed all attempts of neighborhoods to establish an easy and general police. I will mention an instance; in order to point out the

the treatment which the emissaries of power should always receive on such occasions.

Some of the inhabitants of a parish in Westminster, having felt the inconvenience of military forms, had an inclination to associate in independent parties, for the protection of their families : and they were assembled on some occasion that related to their design ; when, to their great astonishment, a clergyman and a magistrate entered the room. The first said, he was the rector of the parish ; and the other, that he was a justice of the peace : it was signified, they were commissioned from high authority to warn the assembly against doing any thing illegal. One of the company thanked them ; as spies are usually thanked : and they were requested to walk out of the room.

The creatures of the Crown, however wide it may have diffused its contagion, can form but a small number, compared with the whole nation ; and cannot obstruct its designs. Their advantages consist in arrangement and discipline : and it is our object to give similar advantages to the people.

As

As to the leaders of parties, their operations may be more perplexing.* But talents, much superior to those of intrigue and declamation, would be drawn out, on the plan here recommended; men of real merit among these leaders would have chances of gratifying their ambition, in the most pleasing and most honourable manner, by the election of the people; the degrading and levelling principles of common democracies could not be introduced; the utmost variety of characters and distinctions would take place: and yet all orders would be impressed by a political necessity of obeying and executing the public will.

That men in general will be cautious of embarking in this necessary and important design, I can easily imagine. The nation has been extremely shy of associations; though invited into them by men of rank, fortune, and power.

K

But

* The most honorable exception should here be made, in favor of the Duke of Richmond, who moved in the House of Lords, for leave to bring in a bill for the more equal representation of the people. This, perhaps, is the most liberal and patriotic attempt, which has been ever made by an English *Nobleman*.

But all steps taken towards arranging the people, and reviving the whole mass into a political body, will be like the returning symptoms of life, attended with assured hopes, and irresistible confidence.

It is in the power of any man of public spirit and honesty, to begin this important business, who can induce a single parish to institute and regulate its own police, on the principles already pointed out. The immediate consequence of this improvement, would be clearing that parish of vagrants, beggars, and all those useless and pernicious wretches who daily heighten the enormity of poor rates. These, passing into other parishes, would put them under a kind of necessity of having recourse to the same measures. And when the people were arranged for one purpose, they would be, *for all the purposes of political liberty*. If individuals refrain from motives of timidity, or the influence of power; no force should be applied to them: they would see their fellow-citizens in the peaceable enjoyment of the first and most essential blessing of human society; while they were
sunk

sunk into the class of dependants, and vagrants; or contemned by the whole community as destitute of the spirit and privileges of men.

Perhaps, there is no part of the kingdom, where this plan of police might be introduced so easily, as in Westminster. And if those gentlemen who affect to have the interests of the people at heart, would employ their influence in introducing such arrangements, instead of assembling and harranguing an idle and profligate populace; by producing permanent and universal blessings, they would lay the foundation of an everlasting fame: and perhaps might find themselves in the most direct road to honors and emoluments.

That this method of regulating the police, would have consequences fatal to illegitimate power, was immediately perceived by administration; though perhaps not by the friends of the people, when the mob in June, 1780, held up to the world this horrid truth "that even the civil liberties of the English rested ultimately

mately on an army, composed of the refuse of the land, and depending on the will of the prince." The whole nation seemed aghast! and, if there had been, among its senators, a few real and intelligent patriots, who would have directed the people, to secure their civil, by assuming their political liberty, they would, readily and thankfully have adopted the plan. They saw the necessity, even in a civil sense, that every free man, should be in a condition to support the magistrate when recoiling from his duty; or to defend his family from violence and extirpation, without sending to the prince for a foldier: that some bonds should unite neighborhoods, districts, &c. from such inundations of villainy, as must occasionally arise in communities, whose fate depends on the accidental prevalence or discomfiture of factions.

In this alarming situation, when the spirits of all men were bent on enquiries, no method was put in practice, which did not rest our safety ultimately on the Crown; or on the caprice of men of fortunes in their several neighborhoods.

borhoods. If the people had been directed and assisted in this first privilege and duty of human society, the power of defending themselves and their families, without enlisting as soldiers; the arrangements necessary for the purpose, into tythings, hundreds, &c. would have introduced that universal *sensibility* which is the foundation of political liberty.

It will be alledged (and I wish to meet all objections on the subject) that so much power in the people, would be abused; and no government can long exist under the capricious exercise of it.

If the following maxim were withdrawn, almost all the governments in Europe would crumble and disappear, ‘In order to have your interests properly guarded, entrust them to others; never to yourselves.’

That the great body of the people; on whose labour, industry and talents, the whole of the state depends.—I speak not of the populace; the dregs of vicious governments, who usually
 affem-

assemble in mobs—that the PEOPLE properly arranged ; and, as it were organised into sensibility, general sympathy and judgment ; having, in consequence, the strongest and best principles of self-preservation,—should be incapable of acting on them---is in itself an impossible supposition. It is warranted by no presumption or fact in the whole history of mankind. For wherever the people, in possession of political liberty, have acted on fixed principles and regulations, (as in the best periods of the Saxon government)---it has been, with wisdom and moderation. No traces of caprice, or folly can be found in their conduct. In Sparta and in Rome, before the original institutions were deranged, the necessity and importance of popular power, were clearly demonstrated.

If this had not been the case, my claims to attention would not have been invalidated. I am not pleading for the legislative or executive powers, which were executed by the people of ancient democracies in large assemblies : but that those powers, when once appointed, for
cer-

certain times, and within stipulated boundaries, should be perfectly uncontrouled ; and that the people should have a regular and effectual method of exerting the whole strength and power of the community (which can be only in them) to prevent abuses, and to check all encroachments on those limits. If discipline, principles, and science, are to be bestowed on a rabble to form it into an army ; which, in ninety-nine cases out of a hundred, is employed to increase the miseries of mankind ;---this certainly should be the case, in the disposition of a people to exercise that political power, on which its civil government rests, if it ever rests securely ; and without which all the blessings of human societies must be tinged with jealousies, apprehensions, and uncertainties.

If, in these Letters, I have given any hints which may induce you to employ your thoughts on the subject of them ; and to exert your influence, in some measures, to restore to England what it has so long lost ; what is so necessary to retrieve its degraded character ; to unite the broken parts of its commonwealth ;
and

and to give permanency to the civil and commercial privileges it enjoys ; my end will be answered. I wish to be concealed as the Author ; for reasons very obvious, in the present state of political literature. On any other occasion, I should be happy in subscribing my name ; and publicly acknowledging the sincere esteem, with which

I am,

S I R,

Your much obliged, and most

Humble Servant.

March 12, 1782.

LET-

LETTER VII.

*Plan of an equal Representation of the
People of England.**Societas nostra lapidum fornicationi simillima est, quæ
casura nisi invicem obstarent; hoc ipso sustinetur.*

SENEC. Ep.

Society resembles an arch; which is supported by the
reciprocal resistance of the stones that compose it.

DEAR SIR,

IN the preceding Letters on Political Liberty,
I have shewn that the democratic power, in
the English Constitution, is become merely no-
minal: and that aristocratic factions, sometimes
on moderate, sometimes on violent principles,
have usurped the government.

L

Every

Every thing in nature, is done by action and re-action. All powers, have resisting powers ; and the whole universe is balanced, by a combination of opposite forces. In human institutions, the same contrivance is always attempted. The mechanic, who constructs the simplest machine ; and the politician, who arranges the principles of the state, differ only in the magnitude and variety of their objects. The same eternal and universal laws must govern both of them.

As the derangement of a machine is owing to the prevalence of some constituent power or powers over others : so in a state, all inconveniencies and injuries are to be ascribed to the want of sufficient counter-action and resistance in some of its parts, to balance the pressure of the others ; and to assist in producing the general effect.

The magnitude of these parts ; and the uncommon efforts of genius requisite to combine them

them, are the principal reasons, that human societies continue a reproach to human reason. Perhaps likewise, practical politicians, who are the agents and workmen in these edifices, contribute not a little to the establishment of abuses. They are occupied on parts, from which it may be impossible for them to view the whole: and they have generally an interest in abuses. In every state, therefore, where it is an object to improve and perfect the Constitution, there should be a set of men, who should add to a general knowledge of business, the profoundest and coolest speculation; who should be the guardians of the state, without having the slightest interest in its official departments.

In every constitution, pretending to liberty, we find this general truth exemplified. All delegated powers have assumed the tone of tyranny, when the people could not readily and easily balance them: and the people became capricious, violent, and despotic, where they

they could assemble in multitudes ; and annihilate the authority of their deputies.

Almost every thing, in the compass of imagination, is possible, by method and arrangement.

In the preceding Letters, I have pointed out the mode of giving sense and judgment to any number of people ; so as to put it in their power, to balance the legislative and executive departments of the state ; and to put it out of their power, to become tumultuous and capricious in their exertions.

No problem in politics has ever occurred to my imagination, which I cannot solve on these principles, to my own entire satisfaction : and they have occupied my mind many years.

This may be an apology for my presumption in so readily complying with your request ; and engaging,* in so little time, to give you a plan on a subject, which has long exercised the first abilities of this nation.

The

* This Letter was not in the Author's first design.

The imperfections of the present House of Commons, are the following :

It would represent certain quantities of soil ; and not the people, whose talents are to give it value. Or, where it pretends to represent men, as in corporations, &c. it makes a part equal to the whole. This has given rise to the extravagant idea of virtual representation ; by which Colonies and Provinces are to be held in bondage.

The members, when once seated, assume each to himself a perfect independence ; and claim a right of acting according to their judgments, not on the views and inclinations of their constituents, but on their own. All just ideas of representation are therefore lost.

The House of Commons, if it were a delegation from the people, would not have a power of voting itself independent, and continuing its sessions at pleasure ; or by a collusion with the other branches of government. This is a stewardship which totally annihilates the power of the
lord ;

lord ; and it renders the English parliament one of the most absurd institutions in the world.

In order to have the people represented, and not the land, ; and to have their *sense, inclination* and *judgment* expressed and enforced by the abilities of their *actual representatives* ; they must be arranged, nearly as I have pointed out in the preceding letters : where my immediate object is, not a representation for the purposes of a legislature ; but to form a political power in the whole body of the people, to balance ; to give stability and effect to the legislative and executive powers ; and to answer all the purposes of defensive and internal police. The want of this political power, was felt in the republics of Greece and Rome ; and was not supplied either by the Ephori or the Tribunes of the people.

A House of Commons, deliberating on supplies, and the formation of laws, should be an assembly of persons actually residing in the several districts of the kingdom ; well informed in

in their peculiar interests ; and able to reconcile those interests with the general good.

Perhaps the House of Commons should not be so numerous as at this time. Because the larger the multitude, the lower and more contemptible the passions which must actuate it; by the meer effect of debate or eloquence. In an assembly of five hundred; men of the first genius and merit are seldom heard : tumultuous and ambitious leaders, of slender but brilliant talents, always give the law.

Whatever be the number of parliamentary members—the whole island (for I suppose the parliament to be merely English) must be divided into an equal number of districts ; each district containing an equal number of inhabitants. *

All men, at the age of eighteen, who are not vagabonds or in the hands of justice, have a right

* This plan might have been extended to Ireland and the Colonies ; but it is to be feared they are torn from England by the claims of virtual representation.

right to vote ; because they contribute by their industry to the support of the state. I have had doubts concerning menial servants ; on account their dependence on their masters : but the injustice of excluding them, would bring greater inconveniences, than the trouble of preventing the ill effects of that dependence.

These districts, would contain too great a number of people to be brought together, and rendered capable of any apprehension beyond that of clamour and tumult. They must be therefore arranged ; as in the preceding letter. Ten adjoining inhabitants must choose by ballot an *actual representative* ; who, with the ten representatives of adjoining tythings, will chuse an *actual representative* of a hundred ; and in the same manner of thousands, &c. until the choice of the district centers in one, who is to *represent* it in parliament. The expences of representation, in all its gradations, must be defrayed by the constituents.

The

The very essence of the plan is, that the judgement of the people be expressed by the delegate; and that the parliament be a *representation*, in the strictest and most severe sense of the word. This is necessary, because there is no general principle of government which can be substituted for the *judgement* and *will* of the people: for if right, it draws with it the whole power of the community; if wrong, it is corrected by the necessary principle of self-preservation.

The obligation of representatives to exercise their abilities, wholly on the subservience of the interests of their constituents to those of the state, will render it useless in the Crown to attempt corrupting them; if the Crown should be left at liberty to misemploy the public treasure in that manner. For the delegate being bound to a strict representation; the constituents must be bought to obtain the voice of the representative.

The mischiefs of the English government have arisen from a disunion of its several parts,

M

under

under the false idea, of reciprocal independence. As in the human body, the functions of each member, are perfectly unimbarassed, though united to the body; and subject to the general strength of the whole: so in a political state the deliberative and executive parts are free and independant in their particular exertions, while annexed to the general body; and tied to it, by such ligaments as render them subservient to its collective force.

The members of the English parliament, will be united to the whole body of the people, by the arrangement I have pointed out; in such a manner, as to be perfectly free within the limits of their duty; but liable to an immediate check and restraint on passing those limits. The sense of the whole district, on the conduct of a member, is so easily taken in this method, that no deviation in his conduct would probably be overlooked.

It is unnecessary to say, if the people were once in possession of a mode of acting regularly and easily as a political body, that parliaments
would

would be of shorter duration than at present ;† that they would meet at stated times ; and adjourn themselves, within the limits of their political existence, when the business before them was dispatched : that such an assembly would not attempt so atrocious a breach of trust as to vote itself intitled to long and numerous sessions : and that the Crown, forced within its own boundaries would be better employed in its various and important offices, than in attempting to mislead and embarrass operations which would be under the controul and correction of a general and well-directed principle of self-preservation in the whole body.

The assembly being formed ; the deliberative business should always originate in small committees. I should wish them not to consist of more

† All these circumstances must be left to the determination of the people. It is truly laughable to observe the contentions of parliamentary projectors, on these points ; where all opinions are impertinent if meant for more than information. An act of the legislature has no real authority in such cases ; much less the opinion of any member of parliament.

more than ten or twelve persons ; because in all my life, I have not known a larger assembly, capable of forming wise and good determinations.

On the first step taken in a committee, the business should be published : not only for the information of the house ; but of all the people. For this and other purposes, of equal importance, the press should be perfectly free : it is the only vehicle of general information and knowledge ; and without it a people can neither be virtuous nor happy : restraints on it are the sole causes of those abuses by which it is disgraced.

When the business is digested in the committee, it should be proposed to the whole house ; and determined by a majority.

If we suppose the committee, to have arranged matters with wisdom ; it is extremely probable that a numerous assembly would reject those arrangements : unless the House of Commons would deliberate in classes, and give their

votes

votes as the tribes did at Rome, or as juries do in England, by the deputy of every class. †

We are now at such a distance from every idea of wisdom and goodness, in political concerns, that I fear this plan, simple and practicable as it is, will be ranked among those speculative visions which are stored for better and more enlightened times.

In all the sciences, men are but young: in the science of government, they are but just born. The ants, and bees, and beavers, exhibit institutions, which are a reproach to the best forms

† There are no objections to plans of this nature for an equal representation; unless it be those which arise from corrupt and selfish motives. Wherever private property (even in infamous boroughs) is to be sacrificed; the actual proprietors should receive full compensation. The expence attending it would hardly amount to the sum which is spent at every election, in diffusing perjury and all kinds of immorality through the land. The scheme of the turnpike roads (a trifling object compared with that before us) was not impeded by the necessity of much greater and more inconvenient incroachments on the property of individuals.

form of government upon earth. Men herd at random ; or are driven by miscreants of their own species, in a manner, to which the most dastardly animal would not submit : a flock of sheep would not be driven to slaughter, by one of its own kind.

If an attempt at stating the first principles of human policy ; and applying them to the present deplorable case of my country, should prove wholly fruitless in regard to the public, I must submit to the disappointment ; in common with thousands, whose thoughts are probably occupied in the same manner.

I shall have a pleasure however, in having obeyed your commands : as I should always in shewing the esteem with which I have the honor to be

S I R

Your much obliged, and

Most humble servant

THE AUTHOR.



March 15, 1782

